Filed 01/11/2008

Page 1 of 8

SECOND SUPPLEMENTAL DECLARATION OF JAMES L.

CANTO IN SUPPORT OF SIMPAO PLAINTIFFS'

1	
1	expense of costs subsequent to the filing made by the undersigned on October 12, 2007, and in
2	further support of my firm's and my co-counsels' application for an award of attorneys' fees
3	for services rendered in the above-captioned matter, and for reimbursement of expenses
4	reasonably incurred in connection with this litigation. This is intended to supplement the
5	declaration previously submitted on October 12, 2007 entitled DECLARATION OF JAMES L.
6	CANTO IN SUPPORT OF SIMPAO PLAINTIFFS' SECOND APPLICATION FOR
7	ATTORNEYS' FEES AND COSTS.
8	2. Attached to this declaration as "Exhibit 9", are three (3) invoices generated by
9	Hilsoft Notifications billing for expert consulting services in the field of class notice in
10	nationwide class actions, and class actions generally, rendered to the Simpao Plaintiffs'
11	counsel.
12	3. These charges incurred for expert consultant services utilized by the Simpao
13	Plaintiffs' counsel were vital to the analysis of the fairness of the proposed settlement
14	agreement which is pending a ruling on final approval by the Court.
15	4. The total amount of costs incurred by this firm for said necessary expert
16	consultant services is Fifteen Thousand Seven Hundred Eighty Nine Dollars and Eighty Three
17	Cents (\$ 15,789.83).
18	
19	I declare under penalty of perjury under the laws of the United States and the Territory
20	of Guam that the foregoing is true and correct.
21	
22	Executed this // day of January 2008.
23	
24	Il Cur
25	JAMES L. CANTO II

26



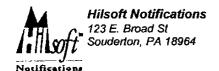
#### **Invoice**

DATE	INVOICE#
8/31/2007	44807

**BILL TO** 

Tousley Brain Stephens PLLC Kim D. Stephens 1700 Seventh Ave., Ste 2200 Seattle, WA 98101-4416

				P.O. NO.	TER	vis	ı	PROJECT
				K. Stephens	Due on r	eceipt		Guam
ITEM	QUANTITY	QUANTITY SERVICED				RATI	E	AMOUNT
			Staff time in litigation.	connection with the	Guam			
			Gina Intrepi King, SW: S Lee Brown;	ilisee, BC: Barbara Co do, CP: Carla Peak, J Shannon Wheatman, S JAK: Judith Kooker, F Lauran Schultz	K: JoAnn SLB: Sandy			
GI	0.9	8/1/2007	Reply; deve Government of Guarn ne	daration and the Gove elop counter points/con it's Reply; investigate ewspapers; investigate contact client to infort a rebuttal	ncerns with circulation Guam's	3	325.00	292.50
PT	0.75	8/1/2007	Conduct me	edia run to find relation v-income adults and r		1	175.00	131.25
GI	0.4	8/2/2007	Continue to Governmen	develop rebuttal poin t's Reply; contact clie f a Declaration should	nt to	3	325.00	130.00
TH	0.6	8/3/2007	Review reb	uttal of notice and not	ce plan	4	450.00	270.00
Gl	0.9	8 <i>/71</i> 2007	Staff meetir Governor's contact clien	ng to discuss rebuttal and Government of Goung to substantiate a netal Declaration.	coints to luam's reply;	3	325.00	292.50
GI	6.9	8/21/2007	Call with cli Supplement Exhibits; pro	ent to review strategie tal Declaration and pro pof and edit Declaration for submission.	epare	:	325.00	2,242.50
тн	1.2	8/21/2007		comment on supplen	nental	4	450.00	540.00
Fed. ID 23-278 Thank You			I		To	tal		\$3,898.75



# Invoice

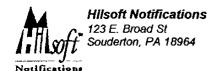
Page 4 of 8

DATE	INVOICE #	
9/28/2007	44822	

BILL TO

Tousley Brain Stephens PLLC
Kim D. Stephens
1700 Seventh Ave., Ste 2200
Scattic, WA 98101 4416

				P.O. NO.	TERM	MS	F	PROJECT
				K. Stephens	Due on r	eceipt		Guam
ITEM	QUANTITY	SERVICED	DESCRIPTION			RATE		AMOUNT
				nd out of pocket expe with the Guarn litigation				
			Gina Intrepi King, SW: S Lee Brown;	lilsee, BC: Barbara Co ido, CP: Carla Peak, J Shannon Wheatman, S JAK: Judith Kooker, I Lauran Schultz	IK: JoAnn SLB: Sandy			
GI	1.4	8/6/2007		buttal points that shot for a Reply Declaration		;	325.00	455.00
тн	0.8	9/25/2007		aff, re: settlement notic		,	450.00	360.00
GI	1.4	9/25/2007	Call with cli- and discuss discuss out	ent to discuss outcom s next steps; internal come of case and nex the key points argued	meeting to t steps;	:	325.00	455.00
GI	0.6	9/26/2007	Staff discus documents dient with o	sion on cost to devek and an opinion affida cost estimate and evid S# lookup effort.	vit; contact	;	325.00	195.00
MCI			Phone call	on 09/14/07.			0.24	0.24
Fed. ID 23-2785 Thank You	1 427	<u> </u>	<u>i</u> .		То	tal		\$1,465.24



### **Invoice**

DATE	INVOICE #
6/29/2007	44762

**BILL TO** 

Tousley Brain Stephens PLLC Kim D. Stephens 1700 Seventh Ave., Ste 2200 Seattle, WA 98101-4416

				0.0.110	Tree			
				P.O. NO.	TERM	18	ŀ	PROJECT
				K. Stephens	Due on re	eceipt		Guam
ITEM	QUANTITY	SERVICED	DESCRIPTION		RATE		AMOUNT	
			litigation. TH: Todd H Gina Intrepi King, SW: S	ilsee, BC: Barbara Co ido, CP: Carla Peak, J Shannon Wheatman, S JAK: Judith Kooker, S	yle, Gl: K: JoAnn SLB: Sandy			
СР	0.75	6/18/2007		ice president to reviev	v case and	:	200.00	150.00
GI	1.6	6/18/2007	call with clie	kground information o	und,	;	325.00	520.00
тн	3.5	6/18/2007	Telephone of study and o	and timing of impleme call with staff, re: assi pine on notice issues of EIC case; study do	nment to in	4	450.00	1,575.00
СР	3.5	6/19/2007	Analyze not president ar details, and	ice content and designd vice president to re affidavit needs; draft I design sections of af	view case, notice		200.00	700.00
Fed. ID 23-2785 Thank You	<u>1</u> 5427		<u> </u>		То	tal		

Page 1



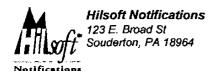
### **Invoice**

DATE	INVOICE#
6/29/2007	44762

**BILL TO** 

Tousley Brain Stephens PLLC Kim D. Stephens 1700 Seventh Ave., Ste 2200 Seattle, WA 98101-4416

				P.O. NO.	TERM	<b>AS</b>	PROJECT
				K. Stephens	Due on r	eceipt	Guam
ITEM	QUANTITY	SERVICED		DESCRIPTION		RATE	AMOUNT
GI	10.8	6/19/2007	including the notice docu Guam's adu mobility and data to that qualification Guam democirculation, etc.); outling notice plan meeting to additional s Declaration contact clie information	ditional background make Defendants' notice purents; research and all population, military of poverty statistics and of the U.S.; research as for EIC; research as ographics and local make publication size, audit is initial concerns with and notice documents review concerns and of trategies; begin to write on the Adequacy of Natto request additional (details on mailing en publications, etc.).	325.00	3,510.00	
СР	5	6/20/2007	Work on No of affidavit; contact two	otice design and conte review and revise affi- newspapers used in a actual size of ad that n	davit; plan to	200.00	1,000.00
GI	4.9	6/20/2007	Review, rev the Adequa population a research IR dient docur	inition and edit the Decl cy of Notice; research and average length of S claims request cost ments; call with client to Declaration.	325.00	1,592.50	
CP GI		6/21/2007 6/21/2007	Prepare ext Input edits in Declaration	hibits for submission vinto the Declaration; fi ; prepare signature pa ogether for submissio	200.00 325.00		
Fed. ID 23-278 Thank You	5427				То	tal	



Thank You

Remit To Address:
Hilsoft, Inc.
Dept. 0266
P.O. Box 120266
Dallas, TX 75312-0266

## **Invoice**

DATE	INVOICE #
6/29/2007	44762

BILL TO	
Tousley Brain Stephens PLLC Kim D. Stephens 1700 Seventh Ave., Ste 2200 Seattle, WA 98101-4416	

				P.O. NO.	TER	TERMS		PROJECT
<u>.</u>				K. Stephens	Due on r	receipt		Guam
ITEM	QUANTITY	SERVICED		DESCRIPTION			E	AMOUNT
COPY	146		Photocopies 2007.	s of documents throug	gh June 29,		0.04	5.84
Fed. ID 23-2785	427							

Page 3

**Total** 

\$10,425.84

#### CERTIFICATE OF SERVICE

I, JAMES L. CANTO II, certify that I caused a copy of the foregoing document here filed to be served on the following individuals or entities on January 11, 2008, via hand delivery at the following addresses:

Counsel for Petitioner Charmaine Torres Peter C. Perez, Esq. Lujan, Aguigui & Perez, LLP Pacific News Bldg., Ste. 300 238 Archbishop Flores St. Hagatna, Guam 96910

Counsel for Respondent Felix P. Camacho Daniel M. Benjamin, Esq. Calvo & Clark, LLP 655 S. Marine Corps Drive, Ste. 202 Tamuning, Guam 96913

Counsel for Respondent Felix P. Camacho Shannon Taitano, Esq. Office of the Governor of Guam Governor's Complex East Marine Corps Drive Adelup, Guam 96910

Counsel for Respondents Artemio Ilagan and Lourdes Perez Rawlen M.T. Mantanona, Esq. Cabot Mantanona LLP BankPacific Building, 2<sup>nd</sup> Floor 825 South Marine Corps Drive Tamuning, Guam 96913

Counsel for Petitioner Julie Babauta Santos Michael F. Phillips, Esq. Phillips & Bordallo, P.C. 410 West O'Brien Drive Hagatna, Guam 96910

Respectfully submitted this JANUARY 11, 2008

SHIMIZU CANTO & FISHER TOUSLEY BRAIN STEPHENS PLLC

James L. Canto II Attorneys for Plaintiffs